

## REMARKS

Claims 1-20 are pending in the present application. Claims 1, 2, 5, 8, 10 and 11 have been amended and claims 13-20 have been added. No new matter has been added. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 5 and 8 are objected to because of informalities. The objections to both of these claims have been corrected herein.

Claims 1-2, 7-9 and 12 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Miles, *et al.* (U.S. Patent Application Publication No. 2004/0058532, hereinafter "Miles"). The remaining dependent claims have been rejection as being obvious over Miles in view of other references. Applicant respectfully traverses these rejections.

Claim 1, as amended, specifically recites an array of micro-electromechanical system (MEMS) elements including at least first and second MEMS elements, where a single control voltage that is to be applied to all the MEMS elements whereby the various states of the array are to be obtained by varying the single control voltage. This is possible because, for each of the first and second MEMS elements, a transition from the first to the second state is effected by an opening voltage, and a transition from the second to the first state is effected by a closing voltage, the opening voltage and closing voltage of the first MEMS element being different from the opening voltage and closing voltage of the second MEMS element. The prior art of record does not teach or suggest such a device.

The Office Action cites Miles for showing an array of MEMS elements as claimed. Miles discloses an array of MEMS elements, each element showing an optical response on applying a driving voltage to the elements. Miles does not teach or suggest a single control voltage that is to be applied to all the MEMS elements whereby the various states of the array are

to be obtained by varying the single control voltage. Clearly, each of the pixels will receive independent control voltages.

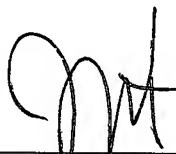
Therefore, it is respectfully submitted that claim 1 is allowable over the references of record.

Claims 2-12 depend from claim 1 and add further limitations. It is respectfully submitted that these claims are allowable over the references of record in view of their dependence on an allowable claim as well as the additional limitations.

Claims 13-20 have been added herein. No new matter has been added. Applicant respectfully submits that these claims are allowable over the references of record.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ira S. Matsil, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees that are due, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,



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Date

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